

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

RICHARD WYCKOFF, et al.,

Appellants,

vs.

THE CITY OF SEATTLE,

Respondent.

Hearing Examiner File:
CS-02-001

CSC No. 99-03-018

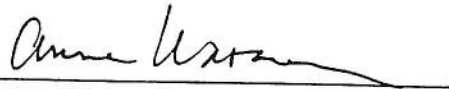
ORDER OF DISMISSAL

This matter was referred to the Hearing Examiner by order of the Civil Service Commission, pursuant to SMC 4.04.250(7).

The City has filed a motion to dismiss the above-referenced appeal, which now has two appellants. The City's motion argues that: the Commission does not have jurisdiction because the appeal is a general challenge to the compensation program created by Ordinance 119776, the relief sought is now a matter subject to collective bargaining agreement, and the remaining appellants have no timely individual claims before the Commission in this appeal. No response to the motion was filed by the appellants.

The Commission lacks jurisdiction to consider a general challenge to the compensation program that was put into effect by Ordinance 119776, although implementation of that program would be within the purview of the Commission. The appeal filed on September 24, 1999, regarding the classification system, would not have been timely as to the individual claims that could have been asserted by these appellants, since they had not yet exhausted the internal reconsideration process available to them at that time. The appellants subsequently did pursue the reconsideration processes for their claims regarding classification and pay, and appeals of the reconsideration decisions were either not filed, or withdrawn and dismissed with prejudice. Thus, the appellants' individual claims concerning classification or pay, cannot now be challenged in this appeal. The appeal is therefore **DISMISSED**.

Entered this 3rd day of December, 2002.



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